

Remarks

Claims 1-12, 14-30, 36, 45-49, 51-57, 71-90, and 96-101 are pending in the application. Claims 13, 31-35, 37-44, 50, 58-70, and 91-95 have been canceled. Claims 1, 4, 9, 14, 51, 53, 54, 76-78, and 84 have been amended. New claims 96-101 have been added. No new matter has been added by virtue of this amendment. Reconsideration of the application as amended is requested.

IDS, amended claims and new claims

Applicant thanks the Examiner for the notice of allowance. However, applicant is submitting an IDS with US patent 6,249,212 to Beigel. Applicant conducted a search and found this patent after receiving the notice of allowance.

Applicant has amended claim 1 to include the hermetically sealed housing of claim 13, now canceled. Applicant is also including the limit, "wherein no feed through from said transmitting device passes through said housing," from claim 9. There is no teaching or suggestion in Beigel to provide such a housing. Without the discovery by the present inventors that they could provide a hermetically sealed housing and that they could nevertheless receive and transmit through this housing without the need for an external antenna-- and therefore without the need for a potentially leaky feed through connecting the transmitting device with an external antenna--there would be no motivation to provide the hermetically sealed housing with the device of Beigel.

Beigel does not teach or suggest the limit of claim 76, as amended, that provides "a circuit connected to said sensor for performing sensor calibration." While Beigel stores calibration coefficients in a memory (column 4, lines 55-61), there is no teaching or suggestion in Beigel to perform sensor calibration with a circuit that is included in the sensor transponder, as provided in claim 76.

Beigel does not teach or suggest the limit of claim 84, as amended, that provides "an RC clock connected to encode clock data with data derived from said sensor." While Beigel provides a clock (FIG. 1 and column 6, lines 27-47), Beigel does not teach or suggest that the clock is an RC clock. Beigel's system would not work with an RC clock because the measurement of time would drift, and his system, that has multiple protocols that are timing critical, is intolerant to drift. Nor does Beigel teach or suggest encoding clock data with data derived from the sensor, as provided in claim 84. It was applicant who found a way to make the system tolerant to drift by transmitting the bit rate clock along with the data. Thus, applicant could use an RC clock whereas Beigel, who did not transmit bit rate clock data, could not.

Applicant is adding new claim 96 that includes "an RF transmitter connected to

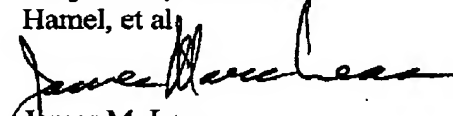
receive power derived from said radiation receiving device." This limit was included in claim 36 as originally filed and as described in the specification on pages 33-34 and as illustrated in FIG. 2b. Beigel does not teach or suggest an RF transmitter. Beigel provides for transmitting through his power receiving device. No motivation is provided in Beigel for also including an RF transmitter since transmitting by adjusting impedance is provided. It was applicant who found reason to provide both the switched reactance device and the RF transmitter.

Applicant is also adding claim 98 including the limit, "an actuator connected to receive power derived from said radiation receiving device." This limit is similar to the limit of claim 31, as originally filed and now canceled. Applicant is also adding new claim 99 listing actuators provided in the specification on page 9. Beigel is providing a universal ID tag. Beigel does not teach or suggest an actuator. There is no motivation to provide an actuator for a universal ID tag, and providing an actuator would add to the power required by his device.

Applicant is also adding claims 100-101 that are dependent on claim 1. Beigel does not teach or suggest an implant.

Conclusion

Applicant believes that the claims, as amended, are in condition for allowance. Reconsideration of the application as amended is requested. If there are any questions please call applicant's attorney at 802 864-1575.

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